



GEORGIA M. PESTANA
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007-2601

SHIVA PRAKASH
(212) 356-2319
FAX: (212) 356-2069
shprakas@law.nyc.gov

October 10, 2019

By UPS Overnight Mail

Justine Modigliani, P.E., Chief
Clean Water Act Compliance Section
Water Compliance Branch
Enforcement and Compliance Assurance Division
290 Broadway, 21st Floor
New York, New York 10007

Re: Request for Information
Docket No. CWA-IR-19-019
Property Tax Map Section/Block 1780, Lot 112 and 95
Chelsea Road (between Edward Curry Ave. and
Bloomfield Ave.) Staten Island, New York

Dear Ms. Modigliani:

The Department of Citywide Administrative Services ("DCAS") is in receipt of the Request for Information letter ("RFI"), dated July 10, 2019, regarding the site located on Block 1780, Lots 112 and 95 in Staten Island (the "Site").

While it is not clear that a request pursuant to Section 308 of the Clean Water Act is properly applicable in this instance, in the spirit of cooperation, DCAS nonetheless is providing the information that follows in response to the RFI. DCAS's responses are made expressly subject to, and without waiving or intending to waive, any questions, or objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence or for any other purpose, of the information produced, or of the subject matter thereof, in this matter or any subsequent proceeding or actions brought by or against any person, business, or governmental entity. Furthermore, no response contained herein should be construed as an admission of liability or fault.

Each of the requests made in the RFI is addressed in turn below.

a. The total acreage of the subject site and the total disturbed acreage (where construction activities have been conducted or will be conducted at this site)

The Site is 312,760 square feet. DCAS is not currently engaged in any construction activities on the Site. On information and belief, operations by Faztec Industries, a neighboring business present on the parcel adjacent to the Site, are taking place on the Site. Based on an analysis of publicly available aerial photographs of the Site using Geographic Information Systems ("GIS") software, the total approximate area of disturbed acreage is 73,993 square feet.

b. The name, address and contact information for all owners and/or operators of the subject construction site

The Site is owned by DCAS. Contact information for Faztec Industries is below:

John DiFazio, President of Faztec Industries
200 Bloomfield Avenue
Staten Island, NY 10314
718-720-6966
718-494-1600
johnd@difazioind.net
info@faztecind.com

c. Copies of agreements (e.g. lease, easement) between DCAS and the site operator(s) (DiFazio, Faztec, etc.)

There are no leases, easements, or other contractual agreements between DCAS and Faztec Industries or Mr. John DiFazio.

d. The start date of construction activities at this site

DCAS does not possess information related to the start date of construction activities at the Site conducted by unauthorized parties. On information and belief, based solely on analysis of aerial photographs of the Site using GIS software, construction activity on the Site likely commenced between 2008 and 2010.

e. The expected construction end date

DCAS does not possess information related to the end date of construction activities at the Site conducted by unauthorized parties.

f. The final planned disturbed acreage of the site

DCAS does not possess information related to the final planned disturbed acreage of the Site resulting from activities conducted by unauthorized parties. DCAS currently has no plans to disturb acreage on the Site.

g. Any applicable Construction General Permit for the site

DCAS does not possess information related to permitting under the State Construction General Permit for construction activities on the Site conducted by unauthorized parties.

h. Plans to preserve the Site or transfer the Site to other entities

DCAS currently has no plans to preserve the Site or transfer ownership of the Site.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Shiva Prakash', is written over a horizontal line.

Shiva Prakash
Environmental Law Division

cc: Lisette Camilo, Commissioner, DCAS (via email)
Suzanne M. Lynn, General Counsel, DCAS (via email)
Steven Mortman, Deputy General Counsel, DCAS (via email)
Matthew Berk, Executive Director of Planning and Dispositions, DCAS (via email)

STATEMENT OF CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

By: 

Shiva Prakash
Assistant Corporation Counsel
October 10, 2019